

REMARKS

The Office Action dated October 18, 2006 has been reviewed, and the comments of the U.S. Patent Office have been considered. Claims 1-6 and 10 have been canceled. Newly added claims 13 to 18 are presented for the Examiner's review for consideration.

Objections to the Specification

The specification is amended to correct the failure to correctly state the current status of prior patent applications.

Claim Rejection Under 35 USC §112

Claim 12 was rejected for lack of antecedent basis. Claim 12 is amended to correct this deficiency.

Claim Rejections Under 35 USC §102

Claims 7-12 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Lichtenstein (4,730,983) and Manica (5,679,245). The Office Action points out that Lichtenstein and Manica both describe activating alarms and halting pumps when a blood pressure signal is out of range. But the rejected claims define something different. Independent claim 7 recites, in part:

a controller to ... control a rate of flow of said pump; said controller
being configured to maintain a constant pressure in said arterial blood
line by regulating a speed of said pump in response to said pressure
signal

Neither activating an alarm nor halting a pump is effective to maintain constant pressure by regulating a speed of a pump. First, activating an alarm does not regulate pressure. Second, if there is a pressure in an arterial blood line after the controller of either Lichtenstein or Manica

halts a pump, this pressure is not maintained by regulating the speed of the pump in response to a pressure signal, as required by the claim.

Applicants point out that the Office Action fails to identify the quoted limitations of the dependent claims and that neither Lichtenstein nor Manica shows the limitations of the dependent claims.

Newly added claims 13-18 contain limitations that distinguish the cited references. Independent claim 13, for example, recites:

control a non-zero rate of flow of said pump between multiple different flow rates such that a constant pressure is maintained, during pumping, in said arterial blood line by regulating a speed of said pump in response to said pressure signal.

The above recitation is clearly not shown by the cited references since it cannot be satisfied by generating an alarm nor halting a pump as described by the references.

CONCLUSION

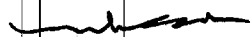
In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration of this Application in view of the foregoing amendments and remarks.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact the undersigned to expedite prosecution of the application.

The Commissioner is hereby authorized by this paper to charge any fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-3840. **This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).**

Respectfully submitted,

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